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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
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2195

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/976,519

Applicant(s)

SHIMAKAWA ET AL.

Examiner

Lewis A. Bullock, Jr.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 12-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/14/02; 4/22/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement filed 3/21/05, 4/19/05, and 11/14/03 fail to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 8, 9, 12-14, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by FRENCH (U.S. Patent 6,749,432).

As to claim 1, FARMER teaches a virtual world system (virtual world), comprising: a server computer (server computer); a plurality of terminal computers (on-line user computers) connected to the server computer (server computer) (see figure 2), wherein avatars (avatars) of operators (users) of the terminal computers are displayed in a virtual world generated on the server computer (col. 8, lines 7-14; col. 8, lines 21-31), and are caused to act on the basis of the operations from the terminal computers (col. 8, lines 49-57); object offer means for offering virtual objects (virtual objects / token objects) to the operators of the terminal computers (users) (via allowing the users to pick-up objects; giving objects via the ATM; etc.) (col. 9, lines 52-60; col. 10, lines 32-40); object transmission means for transmitting the virtual objects (virtual objects / token objects) from the terminal computers (users computer) to the server computer (server computer) (col. 19, lines 48-61); object storage means (container) for receiving the virtual objects (virtual objects) (via the server process storing the object associated with the on-line user if no user has the object / retrieving the stored object associated with the user) (col. 19, line 62 – col. 21, line 2), and for storing the virtual objects (virtual objects) in association with the operators (users) of the terminal computers having transmitted the virtual objects (via storing the object in the user's pocket) (col. 19, lines 10 – col. 20, line 12); and object display means for displaying the stored virtual objects in the virtual world on the basis of operations of the operators (via the update neighbors operation that sends a notice message to locale users of the user's association to the object / places the specified object in the hands of the specified user) (col. 21, lines 3-35).

As to claim 2, FARMER teaches a server computer (server computer), comprising: virtual world generation means for generating a virtual world (virtual world) (col. 7, line 60 – col. 8, line 6), and for outputting symbols (avatars) to act in the virtual world (virtual world) to participant terminals (user's computer) in accordance with operations (get / put / give / receive) from the participant terminals (col. 7, line 60 – col. 8, line 6); an object record area (storage / containers in server computer) for storing object data concerning objects available in the virtual world (objects associated with the users), the object data being stored in conformity with a predetermined data format (object oriented format); object display means (user display) for displaying the objects in the virtual world (virtual world) by reference to the object record area (via using the get/ put /give / receive operations to reference the server computer and access the pockets of each user); and object data acceptance means for accepting from the participant terminals (user's computer) the object data recorded in the predetermined data format, and for recording the accepted object data in the object record area (via the user picking up an object and putting it in their pocket) (col. 8, lines 7-14; col. 8, lines 21-31; col. 8, lines 49-57; col. 9, lines 52-60; col. 10, lines 32-40; col. 19, lines 48-61; col. 19, line 62 – col. 21, line 2; col. 21, lines 3-35)

As to claim 3, FARMER teaches the object data acceptance means records the accepted object data (virtual object) in the object record area (pocket container associated with the user) in association with the participant terminal from which the

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object data was transmitted (put operation referring to the object) (via the server process storing the object associated with the on-line user if no user has the object / retrieving the stored object associated with the user) (col. 19, line 62 – col. 21, line 2); and the object display means refers to the recorded object data (via the notification message) on the basis of operations (put operation) from the participant terminals (via the update neighbors operation that sends a notice message to locale users of the user's association to the object / places the specified object in the hands of the specified user) (col. 21, lines 3-35)..

As to claim 8, FARMER teaches a recording medium recorded with a program for controlling an information processor (processor) (col. 9, lines 40-50), the program comprising: accepting operations (get / put /give / receive / query operation) from an operator (user) (col. 7, line 60 – col. 8, line 6) and creating a virtual object (virtual object / token object) in response to at least one of the operations (query operation) (col. 11, lines 9-17; col. 11, line 41-67); recording the virtual object (virtual object / token object) in conformity with a predetermined data format (object oriented format); and transmitting the recorded virtual object (virtual object / token object) to a server computer (server) operable to generate a virtual world (via the put operation) (col. 19, line 62 – col. 21, line 2; col. 25, line 35 – col. 26, line 3).

As to claim 9, FARMER teaches setting an attribute (via put operation / get operation / give operation) for the recorded virtual object (virtual object) which is

transmitted to the server computer (server computer); and determining a mode in which the operator (user) uses the recorded virtual object (virtual object) in the virtual world based on the attribute (via dropping the virtual object in another container; storing the virtual object) (col. 10, lines 31-61; col. 11, lines 23-32).

As to claim 12, refer to claim 1 for rejection.

As to claims 13 and 14, refer to claims 2 and 3 for rejection.

As to claim 17, reference is made to a method that corresponds to the system of claim 1 and is therefore met by the rejection of claim 1 above.

As to claim 18, refer to claim 1 for rejection. However, claim 18 further details the object data being stored in conformity with a predetermined data format. FARMER teaches all objects are stored in conformity with a predetermined data format (object-oriented format) (col. 12, lines 6-16).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-7, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over FARMER (U.S. Patent 6,476,830) in view of RAPOZA (U.S. Patent 6,561,811).

As to claim 4, FARMER teaches an information processor (processor) (col. 9, lines 40-50), comprising: the virtual object (virtual object / token object) being recorded in a predetermined data format (object oriented format); and transmission means for transmitting the virtual object (virtual object / token object) to a server computer (server computer) operable to generate a virtual world (virtual world) (via the server process storing the object associated with the on-line user if no user has the object / retrieving the stored object associated with the user) (col. 19, line 62 – col. 21, line 2). However, FARMER does not allude to the object being awarding in a game to a player.

RAPOZA teaches a game means (computer-based role-playing game for drug abuse) wherein users (represented by an avatar) interact with one another by playing a game (game) which presents a problem to a player (objective / mission) (col. 15, lines 29-52), and which awards a virtual object (object / attributes) to the player when the problem has been solved (improve player standing and influence by accumulating wealth, resources, status, and rank) (col. 16, lines 49-54) such that virtual objects are associated with users (via the user performing operations on the objects) (col. 12, line 66 – col. 13, line 8; col. 13, lines 14-33). It would be obvious to one skilled in the art that the virtual objects are associated with the user as detailed in FARMER. Therefore, it would be obvious to one skilled in the art to combine the teachings of FARMER with



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the teachings of RAPOZA in order to facilitate a multi-user role-playing game for associating virtual attributes to users (col. 8, lines 9-43).

As to claim 5, FARMER teaches means for permitting the player (user) to access the server computer (server computer) and to participate in the virtual world (virtual world) generated on the server computer (server computer); and means for making the virtual object (virtual object) available to the player (user) in the virtual world (via the get operations) (col. 19, line 62 – col. 21, line 2; col. 7, line 60 – col. 8, line 6).

As to claims 6 and 7, reference is made to a recording medium that corresponds to the system of claims 4 and 5 and is therefore met by the rejection of claims 4 and 5 above.


As to claims 15 and 16, refer to claims 4 and 5 for rejection. However, claim 4 further details that an imaging unit in the server computer (server computer) operable to create an image of the virtual object (virtual object) in a virtual world by reference to the object record area (via putting the virtual object in the hands of the users displayed in the virtual world by an update neighbors operation that sends a notice message to locale users of the user's association to the object / places the specified object in the hands of the specified user) (col. 21, lines 3-35).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
LEWIS A. BULLOCK, JR.  
PRIMARY EXAMINER

June 13, 2005